

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DEREK YAU CHUNG CHOY,

Plaintiff,

v.

JOSH M. ALLEN, *et. al.*

Defendants.

Case No. C22-0574-RSL

STIPULATED MOTION TO  
DISMISS AND ORDER

Plaintiff brought this litigation pursuant to the Administrative Procedure Act challenging United States Citizenship and Immigration Services' ("USCIS") denial of his I-140 petition. Dkt. No. 1. Plaintiff sought an order vacating the denial and remanding the I-140 petition to USCIS for reconsideration. On June 28, 2022, USCIS reopened the I-140 petition and withdrew its original decision. On July 7, 2022, USCIS issued a notice of intent to deny to Plaintiff, to which Plaintiff has an opportunity to respond. The Parties agree that Plaintiff's claims have been resolved insofar as USCIS has vacated its original decision and will issue a new decision. Accordingly, the Parties stipulate to dismissal without prejudice, with each party to bear their own fees or costs.

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1 Dated: July 21, 2022

2 Respectfully submitted,

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4 United States Attorney

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*Counsel for Defendants*

13 *Counsel for Plaintiff*

15 **ORDER**

16 It is so **ORDERED**. The case is dismissed without prejudice.

17 Dated this 22nd day of July, 2022.

19 *Robert S. Lasnik*  
20 Robert S. Lasnik  
21 United States District Judge  
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